App. F. IX-4

1936.

File No. 35-36

Previous References

1+T 11-30 (1-5)

72-3 (1-4)

Serial Nos. 1

Letter References:

PRESERVED

Manuscript

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. One

A collection

~~Part B~~ for February 1937

SUBJECT.

Regulation for the regulation of wireless telegraphy in Nyasaland — Regn. IV of 1937

Nos. Nos 4969 & 13-2-37 Date Complied

WD 0418—GPB—22,500—29-8-36

Notices on above Regn.

15/5/37

G. R. S. APP. F. III—1] 1936

GENERAL AND REVENUE SECRETARIAT.

(Legis)

NOTES.

File No. 35-36

FILE HEADING.

Regulations for the regulation of Wireless Telegraphy in Mysore Region 1936 of 1937

FROM

No.	Dated	Received

Diary No.	Enclos.	Spare copies	Serial No.

BRIEF ABSTRACT OF LETTER

NOTES AND ORDERS.

NOTES—First Sheet

WD 69—GBPM—5,000—14-7-31

Amendment of the Hyderabad Telegraph Regulation

General and Revenue Secretariat

P&T File No. of 1934

[App. F. III–2

Serial No.

From

The Director of Industries & Commerce

C1 - 335/31-32 . Dt 13. 12. 1934

States that it is necessary that the Hyderabad Telegraph Regulation of 1895 should be amended so as to bring it into conformity with the Indian Telegraph Act, and that Legislation even by ordinance is desirable and requests orders of Govt in the matter.

Reference is invited to discussions in paras 68-75 of notes in P & T Collection No 11-30 pages below in regard to the amendment of Hyderabad Telegraph Regn on the lines of the British Indian Act.

1) The Director of I & C was accordingly informed that the question of amending the Regn might be deferred in view of the fact that certain Changes might be introduced in the Indian Constitution Reforms and that a common measure of legislation having the force of law throughout the Country might be introduced as a consequence.

3) The Director now states that the said amendment and legislation even by ordinance is necessary with a view to taking action against those who are working the Wireless Stations without license.

4) The suggestion of the Director to achieve the purpose by an ordinance is for orders

Note–Contn. Sheet.

Subsidy case 23/1

KP

231-35

Amendment of the Mysore Telegraphic Regulations

2897

File No. | of 193 | General and Revenue Secretariat

DEVELOPMENT SECTION
4330
25 JUL 1933

1) The Qn. of amending the Telegraph Regulations to bring it into line with the Indian Telegraph Act was ordered to be deferred in 1932 in view of impending constitutional changes. The Director of ITC now reports that there are a number of unlicensed receiving sets and the Govt is losing revenue. He suggests legislation even by ordinance. If a certain arrangement has been found necessary in Br. India in this matter it seems to be expedient to promulgate the same in our State also, if on grounds of uniformity only. This is a question of control and finance.

Dewsey — 24/.

6) Please put up a copy of the B.I Telegraph Act.

31-1.

2) The Law Secty may kindly be requested to put up a copy of the Act referred to above

Law Secty. w.e.
no
7/2

4 [illegible]

5) Basu's unrepealed Acts may kindly be obtained from the Library

Dewsey (w.e.)

7/2

Amendment of the Mysore Telegraph Reg

General and Revenue Secretariat | File No. of 193 . | [App. F. III–2

Serial No.

3) Criminal Court Manual Vol II Containing the Indian Telegraph Act 1885 is put up. The latest Act is said to be not available. Basu's Annotated Act referred to by the Law Secty on the previous page is now also up to date.

10) The latest Criminal Manual Containing the Telegraph Act was obtained unofficially from the High Court and it is seen that the Act has been amended by the following Acts:-

Act VII of 1914
" XIV "
" XVII "
" XXVII "1930

11) If approved, orders may be issued with Messrs Higginbothams for the latest copy of the Telegraph Act.

5497/1873

Fold case 12) If approved the Library will be requested to obtain two Copies of the Telegraph Act 1885 as Amended from time to time.

KB 13) Please find at G plan of the Dt of Bte is you from a copy of the latest Tel Act

1.3.35

14) Fold

Note–Contn Sheet

It is ascertained that a search was made for the copy of the Act and that the available copy is an old one KB

15) A latest copy of the Calicut Tel. Act will if approved, be obtained thro' the Library

(17)

Submitted to the Resident for perusal with reference to paras 15 & 17

9/3. 18 ~~of last~~ W.C. take Extract & return KB

9/3/35.

To write Resident w.c. for Kindly putting up this when ~~the~~ ~~letter~~ ~~has~~ ~~been~~ read.

KB 17-8-35.

KB
17/8

1.8.35

Extract & hand 15 - 18 to Sec. & file rest

RECEIVED SECRETARIAT
3/3/35 2 MAR 1935
DEVELOPMENT BRANCH.

To
The Library With Compliments for putting up the copy if received

Orders have been placed with the K.P.H. for supply. One copy is not yet received.
KM
15/4

RECEIVED SECRETARIAT.
1 APR. 1935
DEVELOPMENT BRANCH.

Be supplied the receipt of the Book will be awaited. The Dir has solicited early orders.
KB. 22.4.35

RECEIVED SECRETARIAT
26 APR. 1935
DEVELOPMENT BRANCH.

Not yet received. The K. P. House has also been reminded
17.8.35

Serial No.

Wireless telegraphy in Cyprus.

(vide H. of C. Gazette P III of 26.9.33 Page 237)

1) The laws pertaining to the regulation of the possession of wireless telegraphy apparatus in British India is laid down by the Indian Wireless Telegraphy Act XVII of 1933. (Flag M).

The act is intended to regulate the setting up of wireless apparatus indiscriminately by ~~taking powers for~~ the detection of unlicensed apparatus and also by providing for the punishment of persons who establish, maintain and work such apparatus without licence.

The Legislative Assembly Ordinance No 5 of 1933 relating thereto is also put up. (Flag

There are a fairly large number of Broadcast Receivers in the State licensed by the Dept of P & T. It is therefore necessary to ascertain the existing powers of Govt and see if any legislative action is necessary.

If approved the Dept Secy may be consulted and further action taken.

Sd/-
Dec
7/10

NOTE—Contn. Sheet.

4497/34

File No. of 193 . . | General and Revenue Secretariat

2) The provisions for controlling wireless Telegraphy or Telephony in British India are contained in the Indian Telegraph Act (1885) and the Wireless Telegraphy Act 1933. The Indian Telegraph Act of 1885 was amended by Act VII of 1914 which added some ~~prohibitory~~ provisions in respect of wireless. It prohibited the establishment maintenance or working of wireless except under a license, & vested an exclusive privilege in the Government.

3) The Wireless Telegraphy Act (XVII of 1933) intended to regulate the possession of wireless telegraphy Apparatus. It prohibits possession of such sets except under a license. It applies to receiving sets as well as transmission sets.

4) Since wireless apparatus are increasing in Mysore - at any rate receiving sets, & schemes of broadcasting stations seem to be under consideration the time has come for us to legislate in regard to wireless apparatus.

5) The Director of Industries will be consulted and if approved a Bill will also be drafted.

(Second Member)

9/2/35

S 330

11/2

Yes

SPS

16/2

19/3 . 9/3/

W 449/8

Serial No. 7

Draft to the Director P & C dated

Form 7/8 G.A.

2

4/7/35

8 MAR. 1935 GENL. & REV. SECTT.

No P 4945 of 9/11. 3. 35

The Director P & C

Invites his views re the introduction of a Wireless Telegraph Bill on the lines of the Govt. of India Act of 1933.

The Director P & C

No Cy. 335/31-32 of 3.7.3

Stating that it is very necessary that the Khyr Telegraph Regn, 1895 should be amended so as to bring it into conformity with the Indian Wireless Telegraphy Act of 1933, in order to control unlicensed wireless sets in the State & invites with refce to paras 5 & 6 supra it is perhaps unnecessary to amend the Regn of 1899.

10 The following points, however, require consideration

GA 15.3.35

NOTE—Contn. Sheet.

WD 01955—GPB—22,500—12-6-34

File No. of 193 General and Revenue Secretariat

(1) the authority in pursuance a grant licenses such the measure planned be determined, and

(2) the determination of the relationship, if any, between the Telegraph Dept and such authority as is appointed under (1)

Sd.

Dom 8/7 Please put up a draft Bill for Consideration

Sd 8/7/85

12 A draft Bill is Sbtd

13 Bring up file is invited to Govt of India Notifn No 22-2-82 (Hay 5 Jan P&T file No 94/31/84-16-3 in which the right of Indian States to grant licenses for receiving & retaining the dishes has been recognised and even the power to control the export and import of such apparatus has been so recognised

14 A similar question regarding legislation in this direction seems to be under consideration

D. 682 6/8/35

10

Regulation of possession of Wireless Telegraphy apparatus.

General and Revenue Secretariat. | File No. of 193 | [App. F. III-2

4711/35

Amendment of the Telegraph Act

10

File No. of 193 . | General and Revenue Secretariat

19. The draft Bill on the lines of the Indian Wireless Telegraphy Act 1933 appears to be suitable, and legislation may be undertaken.

Dutt 21/8

Thornhill 22.8.

dlr 22/8

20) It seems just opportune to do so 23/8

1139 21/8/35

OFFICE OF THE FIRST MEMBER OF COUNCIL 22 AUG. 1935 No. 1378

Given for re-drafting the Bill. Defects required in this have been removed for D2171. The possession licence & the same will be awaited

21. A draft Bill containing provisions in the Telegraph Act & the Wireless Telegraphy Act may be prepared

W 20/12/35

Dme 20/12

W Provisions of the Indian Telegraph Act as are proposed towards necessary are incorporated in the copy of the Bill & the Bill as modified is sent

Sd 31/1/36.

12/11

Amendment of Telegraph Regulation

(13) Send with a typed draft of the Bill as revised. Together with a Statement of Objects & Reasons

SG
30/5/36.

M In British India licenses for wireless appliances are governed by (1) the Indian Telegraph Act of 1885 as amended by Acts VII of 1914 and (2) the Indian Wireless Telegraphy Act of 1933. The Indian Telegraph Act of 1885 did not contain any provisions in regard to wireless. The amending Act of 1914 brought in wireless apparatus and wireless appliances within the scope of the Telegraph Act. That Act prohibits the establishment, maintenance or working of a telegraph without permission. Wireless receiving sets were included in the definition of "Telegraph" so that the operation of wireless receiving sets came within the prohibition of that Act. Mere possession of wireless telegraph appliances was not prohibited under that Act. It was subsequently found that unless possession of such appliances was also regulated by license, it was not possible to prevent their operation. Consequently Act XVII of 1933 was passed, under which even possession of wireless appliances without license is prohibited. Thus, in British India, licenses have to be obtained for operation of broad casting and receiving sets and even for

NOTE—Contn. Sheet.

B" L. re Regulation of Wireless Telegraphy in the State

File No. of 193 | General and Revenue Secretariat

possession of wireless appliances.

25 In Mysore, the Indian Telegraph Act of 1885 has been made applicaable by Regulation IV of 1899. But the amending Act of 1914 which made the provisions of the Telegraph Act applicaole to wireless appliances have not been adopted in Mysore. Consequently there is no statutory bar to the operation or possession of wireless apparatus in Mysore. (bb) In 1926 the Government of India, after consulting the States in regard to the question of establishment, maintenance, or working of wireless telegraph and wireless telephones in Indian States, communicated their policy in the matter. According to it, the States were to exercise control over the conditions of license granted by them and were to charge a license fee of Rs. 10/- On the basis of this, the Government issued a G.O. requiring broadcast receiver licenses being taken in the State on the same lines as in British India. A fee of Rs 10/- is levied for each license. Thus the licensing of wireless in Mysore and the levy of fee stand merely on executive order. There is no penalty for violation or breach of the conditions.

26 The principles to be observed in regard to radio-broadcasting in Indian States are laid down in the Resolution of the Government of India dated 22nd February 1932. According to this,

(i) Indian States are free to establish broadcast-transmitting stations but the Government of India-

4711 13. 14

Bill to regulate wireless Telegraphy

Serial No.

India has to be consulted first (2). Indian States are entitled to grant their own broadcast receiver licenses within their territories charging an annual fee of Rs. 10/- as in British India and (3) a share of this may be paid by the State to any broadcasting agency.

2) A Bill has been framed for issue of licenses to regulate the establishment, maintenance and working and possession of wireless telegraphy apparatus. This ~~enforces~~ combines the provisions of the Indian Telegraph Amending Act of 1914 and the Wireless Telegraphy Act of 1933 so far as they relate to wireless telegraphy. It is neither desirable nor suitable to amend our Telegraph Act on the lines of the India Act of 1914, as our Telegraph Act applies only to ~~telephones~~ telegraphs in the State which is under the control of the Government of India, and that Regulation may be left alone. In the Bill ~~we~~ it is proposed only to take power to regulate ~~any~~ use of wireless apparatus by issue of licenses ~~or~~ and this may form a separate regulation.

I agree
Sd

Dev Sec)
8/6/36

29) Model Rules will be taken and the Govt principles placed before the Committee R.D. after ascertaining H.H's approval

OFFICE OF THE MEMBER OF COUNCIL. 4 JUNE 1936 9683

See Memo

Prof Rao
Ld Chief
16/6

30 mile

11/6 11/6
Ley.
12.6.36
15.6.36
16/6/36

1s—

14

Bill for Regulation of Wireless Telegraphy 5796

6 K

File No. of 193 General and Revenue Secretariat

31 Subd with D.F.W.

K.B. 17.6.36

32) For approval.

17/6/36

8.2.56
17/6

Dev: Secy)

DEWAN'S OFFICE
18 JUNE 1936
No. 7796

33) But this will have to be applied by the commis-
sioner after approval, this will be done by
circulation

Dewan

17.6.36.
18/6/36

34 MS
18-6-36

Chief Secy
with

19.6.36.
19/6/36

C.S.
Circulate
Dr
20/6

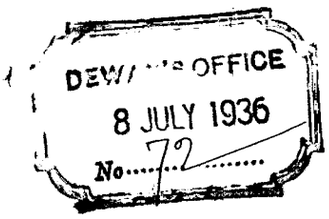
16

For Disposal by Circulation

No. C. 347

1935-1936 15

GENERAL AND REVENUE SECRETARIAT



Council Matter

Subject

35. Bill for the regulation of Wireless Telegraphy in Mysore.

36. *Circulated to the Members of Council*

By Order,

22nd June 1936.

Chief Secretary to Government.

9715-24/6. **First Member of Council** 38 JJ 24/6 40 For favour of Trial Note 2nd member) 25-6-36

Second Member of Council 39 (Seen)

41 F.N. Signed by Member 8/7/36 26. F.N. Put up Dewan) 8-7-36

Final Note by the Second Member of Council.

Subject.—

Bill for the regulation of wireless telegraphy in Mysore.

The Indian Telegraph Act of 1885 has been made applicable to the State by the Mysore Telegraph Regulation IV of 1899. The British Indian Act has since been amended in 1914 and the amending Act brought wireless apparatus and wireless appliances within the scope of the Telegraph Act. The establishment, maintenance or working of wireless telegraph apparatus is controlled under the Act by the issue of licenses and penalties are prescribed for contravening the provisions of Section 4 or for any breach of the conditions of license granted or of rules framed under the Section. Subsequently, the Indian Wireless Telegraphy Act of 1933 was passed which prohibited the possession, without license, of wireless apparatus as distinct from their establishment, maintenance and working.

2 The British Indian Acts of 1914 and 1933 have not been adopted in Mysore and consequently there is, at present, no statutory bar to the operation or possession of wireless apparatus here. Broadcast receiver licenses are being issued by the Director of Industries and Commerce under the authority of Government Order No.G.4843-85/P.P.72-25-18 dated 12th November 1926 on the same lines as in British India on payment of an annual fee of Rs. 10 per license. In March 1930, the Director brought to notice that in the absence of specific provision in the existing law in Mysore for enforcing licenses being taken out for putting up wireless installations and maintaining them, no action could be taken against persons who have either not taken out licenses or having once done so, have not renewed them. He recommended. therefore, that the Mysore Telegraph Regulation might be amended on the lines of the British Indian Act of 1914 so as to extend the provisions about the Broadcast Receivers and Transmitting

stations into the State. It was then decided that the question might be deferred as it was thought that wireless installations would form a federal subject in the new constitution and that a common measure of legislation having the force of law throughout the country might be introduced.

3 The Government of India have since communicated their decision as to the principles to be observed in regard to radio-broadcasting in Indian States. According to their Resolution No. F.178-R/30 dated 22nd February 1932,

(i) Indian States are free to establish broadcast transmitting stations, but the Government of India has first to be consulted,

(ii) Indian States are entitled to grant their own Broadcast Receiver licenses within their territories on the same terms as in British India, and

(iii) a share of the license fee collected may be paid to any broadcasting agency, whether inside or outside its territory, which does in fact provide a broadcasting service to stations within that territory.

4 It is considered desirable not to defer the introduction of legislation to regulate strictly the possession, establishment and working of wireless apparatus. The accompanying Bill has accordingly been drafted. It combines the provisions of the Indian Telegraph Amending Act of 1914 and Indian Wireless Telegraphy Act of 1933 so far as they relate to wireless telegraphy.

5 The Bill provides for taking out a license for operation of broadcasting and receiving sets and for possession of wireless appliances and the establishment or possession without license is made punishable. Provision is made for granting, out of the fine inflicted, any sum for the benefit of any broadcasting service as a contribution towards the cost of its maintenance in return for the benefit derived from it.

6 The Dewan and the First Member of Council are agreeable to the proposed legislation. I solicit the gracious sanction of His Highness to place the general principles of the Bill before the Representative Assembly and the Bill itself before the Legisla-

19

Legislative Council in due course.

N M Rama Rao

MEMBER OF COUNCIL.

Bangalore,
8th July 1936.

H.H.24

C.347

5/1936 20 19

48 I submit herewith a Final Note by the Second Member of Council regarding bill for the regulation of wireless telegraphy in Mysore, for His Highness's gracious approval.

Bangalore,
11th July 1936.

DEWAN-IN-CHARGE.

OFFICE OF THE SECOND MEMBER OF COUNCIL.
8 AUG. 1936
NO. 979

49) approved by His Highness
21-7-36

Secy)

46 8/8

2nd member)

8/8

16 Aug
8/8/36

Dew. Secy)

10/8

10.8.

10.8.36

1825/1936

Bill for regulating wireless Telegraphy.

20

General & Revenue Secretariat. | File No. | of 193 | [App. F. III–2

Serial No.

(47) Submission a note explaining the general principles about the Bill for the Regulation of wireless Telegraphy in Measure.

18.12.36. 17/8

Repre- paras 29-30

48 Typed draft- sealed

18.12.36 by

(49) fresh draft- ler. 22.8.36

(50) fair draft- Sealed

18.24.8.36 by

51. Mayne appd Secretary

Sec Secy ler 25.8.36

1/1.36.

ler. 21.9.36

52 Mill 21/9/36

24.9

ler. 22.9.36

There is no space for correction. Please put up a typed or a clean draft- ler 17.8.36

Typing with Corr on a typed draft by 17/8

TYPING SECTION 18 AUG. 1936 GENL & REV. SECTT.

Typing sent up by 24/8

TYPING SECTION AUG. 1936 GENL & REV. SECTT.

OFFICE OF THE SECOND MEMBER OF COUNCIL 21 SEPT. 1936 NO. 1980

Legis. Secy W.C. 24/9

It is only the statement of the general principles of a Bill that is placed before the R.A and copies of the Bill

NOTE—Contn. Sheet.

22

21

5994

1825/36

File No. of 193

General and Revenue Secretariat

are not usually given.
So the reference to the
Bd. 54 Draft Statement
put up. Reference is made
to the accompanying Bill (P.2).
It is for orders if that
portion may be omitted
and the Statement sent
to R. A. Office.

SC 23/9. 55 That portion is now altered by the 2nd member. WSJ 23.9.

Typing section for making 4 copies of the Statement of principles SC 23/9.

56 20 R. A. Office with typed copies of the Statement of general principles.

SC 24/9. 57 Copies are taken and the file returned to the Prohibition Branch with compliments

WSJ 25/9/36

58 This may be returned to Draftsman SC 25/9.

TYPING SECTION 23 SEP. 1936 GENL. & REV. SECTT.

INV. BRANCH 26 SEP. 1936 DEVELOPMENT BRANCH

59. The general principles of this Bill were accepted by the R.A. The objects and Reasons with a draft Bill are placed in the file. This may now be referred to the Legis. Section for them if necessary further action in consultation with the Dir. Int., if necessary.

INV. BRANCH 26 SEP. 1936 DEVELOPMENT BRANCH

Bde 1-10-36 9.36.

Parl. Bill 25.4.36 SC 27/11/36 YG 6.11.36

Wireless Telegraphy Bill

Serial No.

60) Subd. for orders if the ~~Section~~ sum and the statement of objects & reasons may be published under rule & for introduction in the as it is the Session (Last Draft for publication will be 1916 Act.)

If the Bill is to be referred to a Select Committee there may have to be a meeting of the ~~Committee~~ Committee.

Subd. for orders.

See 4/11/36

61) Under Rule 8 of the Rules of Business (i.e. this bill will, if approved, be published

Dewan's Memo.
through
Chief Secretary.

DEWAN'S OFFICE 7 NOV. 1936 1623

OFFICE OF THE FIRST MEMBER TRIVANDRUM 5 NOV. 1936 No. 2606

5 NOV. 1936

hdj 5.11.36.

MS 5/11

JPR 6/11

MS 7/11

hdj 7.11

MD 8-11-36

hdj 9.11

NOTE—Contn. Sheet.

WD 0417—GPB—80,000—8-9-36

Wireless Telegraphy Bill

1925

File No. of 193 General and Revenue Secretariat

Serial No.

62) It has been ordered that no Session of L.C. need be held in March 37 so that pending bills might be taken up in June except this small one which can be passed at any sitting. Send for orders if this Bill may be postponed to June Session

See 16/11/36 (2nd member) HOJ 17/11

63) There is nothing controversial in this bill. It may be passed at one sitting

HOJ 18/11/36

184

64) Send for orders if the copies of the bill may be sent to L.C. office for publication under rule 8 for being introduced at the ensuing L.C. Session

See 18/11 18th member (from 63) HOJ 1/

Yes 18/11 M WOJ 20-11

Send copies? - the bill to L.C. Office for necessary notice HOJ 20/11

2 copies sent

SECC NO 3462

PRINTING SECTION 23 NOV. 1936 GENL & REV. SECT

Serial No.

To L.C. Opinion with 3 copies of the Bill & St. of objects & Reasons.

SG
25/11/36

Mr P.S.R

Three copies taken and the file put to Prot. Br.

W.C)

26/11/36

L.C Govs.

2nd member)

28.1.

The bill was placed before the L.C today and it was read & referred to a select committee of the marginally noted members. The report has to be submitted by Monday

26.1

1) Mr N. Muthaiya Chairman
2) Mr S.G. Forbes
3) Mr Maulvi Nuruddin
4) Mr S.G. Sastri
5) Mr Lakshmanaswami Mudaliar
6) Mr Jinnah
7) Mr A.D. Basheer Sahib
8) Mr D.V. Gundappa

The Select Committee submitted its report today

The Bill as amended by the S.C was passed on 27th

Secd. motion to S.2.N

SG
29/1

Typed copy

29.1

WD 0417—GPB—30,000—8-9-35

1825

Wireless Telegraphy Bill

File No. of 193

General and Revenue Secretariat

Serial No.

SECRETARIAT
No. 5373

Typed D. F. N. Subd

See 30/1 2nd member) Hy.
30/1
F. N. signed by Member

CCG 1/2/37 D. S. N. Hy
2.2

DEWAN'S OFFICE
2 FEB. 1937
No. 3000

S. N. Subd

Dewan

Hy
2.2.

Final Note by the Second Member of Council. 77

Subject.—

Promulgation into law of the Wireless Telegraphy Bill.

On 21st July 1936 His Highness was graciously pleased to approve of the proposal to introduce the Wireless Telegraphy Bill. The general principles of the Bill were accepted by the Representative Assembly in the Dasara Session in October 1936. As the measure was a non-controversial one, it was intended to pass the Bill at one sitting without reference to a Select Committee. But some members of the Legislative Council were of opinion that the Bill should be considered by a Select Committee. The Bill was accordingly referred to a Select Committee on 26th January 1937 with instructions to make a report the next day.

The Select Committee considered the Bill and made a few alterations, of which the only one of a material character is the substitution of fine for imprisonment for certain offences under this Bill.

The Bill as amended by the Select Committee was finally passed by the Legislative Council on 27th January 1937.

I solicit the gracious sanction of His Highness for promulgating the Bill into law.

N M a Rao Dey

MEMBER OF COUNCIL.

Bangalore,
1st February 1937.

Submitted to His Highness.

I submit herewith a Final Note by the Second

Member of Council re: Promulgation into law of the

Wireless Telegraphy Bill

for His Highness' gracious approval.

Mirza M. Ismail

Dewan.

3-2-37

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Promulgation into law of the Wireless Telegraphy Bill.

C Secy
MS
7-2-37

281

MS
8/2

Order.

~~KRW~~
4/2/37

1825

HH. 328.

30

General and Revenue
Secretariat.

SUBJECT:—

Promulgation into law of the Wireless Telegraphy Bill.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders.* (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

..... Department.

2466/6
8/2/37

FIRST MEMBER OF COUNCIL.

8/2

5686
8.2.37

SECOND MEMBER OF COUNCIL.

Nil
9/2/37

Prom Bor
MS
9/2

8.2

"E.—Contn. sheet.

WD 1170—GPB—1,000—24-12-36

P.S.No. 26 of 36.37

Wireless Telegraphy Rules

31

General and Revenue Secretariat — Legislative — File No. 35 of 1936 — [App. F. III—L

Serial No.	
	Submitted with a draft order directing the publication of the Rules as Notn IV of 37
	12/2/37
	Issued 12-2
1	F. & P. No 4969 of 1936 publishing Rules Notn IV of 37

Proofs sent 24/2

Printed copies received

NOTE—Contn. Sheet.

WD 0417—GPB—30,000—8-9-36

REPRESENTATIVE ASSEMBLY PROCEEDINGS

DASARA SESSION—October and November, 1936.

Discussions on—		Page.
'I.	General Principles of the Bill to amend the Hindu Law in regard to Rules of Exclusion from Inheritance ...	2
V.	General Principles of the Bill for the Regulation of Wireless Telegraphy in Mysore	7
VI.	General Principles of the Bill further to amend the Mysore Village Panchayet Regulation	8

GOVERNMENT BUSINESS—BILLS.

I. General Principles of the Bill to amend the Hindu Law in regard to Rules of Exclusion from Inheritance.

The GENERAL SECRETARY to GOVERNMENT (Mr. M. Venkatesa Iyengar) explained the general principles of the Bill as follows:—

The Hindu Law, as at present administered, contains provisions excluding from inheritance certain classes of heirs suffering from congenital physical or mental defects. This rule of exclusion is based on ancient texts. Whatever might have been the reason for the original rule of exclusions, it is considered that it is time that the rule is modified by legislation so that no person other than a person who is from birth a lunatic or idiot will be excluded from inheritance by reason only of disease, deformity or physical or mental defect.

Congenital lunacy or idiocy stands on a different footing. The persons suffering therefrom will be unable to manage the property. The disqualification for inheritance will therefore be kept up in their case.

It is not, however, proposed to affect rights accrued or liability incurred before the commencement of the Regulation, nor any rule regarding the management of any religious or charitable trust.

The rule has been modified in British India by Act XII of 1928 and it is proposed to introduce legislation on the above lines.

Mr. C. N. NARASINGA RAO said that the reason why the disqualification had been put in the original text of the Hindu Law in respect of heirs suffering from congenital physical or mental defects was not far to seek. It consisted in the fact that the heir who was defective either mentally or physically could not have the capacity to manage as trustee the property that he might inherit from the joint family. That was why not merely born lunatics or idiots but even those who were born blind and maim were disqualified from the right of inheritance. But the amending bill before the House sought to remove the disqualification in the case of all heirs excepting those suffering from congenital lunacy or idiocy. While agreeing with the change proposed so far as physical disabilities were concerned, he would point out that so far as the question of succession to property went, it would arise only after the death of the previous holder or manager. As such, if an heir should develop mental defects at the opening of his succession to property, the speaker would extend the disqualification to every such case on the principle that the inheritor would have no capacity to manage the property and would become a tool in the hands of others and eventually run the risk of losing the property altogether to the detriment of himself as well as the joint family. He would therefore extend the existing rule of exclusion from inheritance to the heirs who might have acquired lunacy or idiocy at the opening of succession. Because, logically speaking, so far as the capacity to manage the property went, it did not make any difference so long as the defect existed at the opening of succession, whether congenital or acquired. Subject to this modification, he supported the bill.

Mr. T. MADIAH GOWDA gave his unqualified support to the bill. He said it was undoubtedly a beneficent piece of legislation which was long overdue in the State. It had been brought into force in British India eighty years ago, on the recommendations made by several High Courts. Even in Mysore, the members of the Assembly and the Council had been urging for its introduction for some years past. In the circumstances it deserved to be passed into law without further delay.

He pointed out that the original rule of exclusions in the Hindu Law might have suited the old frame of mind, but it did not appeal to modern notions of justice and equity. Hence, on pure humanitarian considerations, the law should be amended as proposed in the bill. He said that the exclusion of congenital lunatics and idiots from the operation of this measure was quite reasonable. But this measure should

not be made the thin end of the wedge to introduce radical changes such as removing disabilities imposed by Hindu Law on converts, etc.

Mr. K. T. BHASHYAM AIYANGAR said that the bill before the House was a generous measure. It appeared to him that when the original rule of exclusion was framed in ancient times, there might have been no reign of peace in the country and it might be that only those persons who had a sound mind and a sound body were believed to possess the capacity to manage the property and were given the right of inheritance and persons with mental and physical defects were excluded from inheritance. The conditions of society had changed since then and there was no need to connect the defence of the country or society with rights of inheritance. Secondly, the responsibility of maintaining such defectives had rested on the shoulders of the other members of the family who inherited the property, and they were scrupulously discharging that obligation. Hence it had not worked as a great hardship then. But unfortunately, the mentality of people had undergone a change with the advance of time and the excluded heirs had come to be neglected. As such, the continuance of the old system had resulted in real hardship to the unlucky members of the family. For these two reasons, he had no hesitation in commending the bill for the acceptance of the House.

As regards Mr. Narasinga Rao's suggestion that the rule of exclusion should be extended also to heirs who might be suffering from lunacy at the opening of succession, he said that it would work as a great hardship to families if that was accepted. He therefore opposed it. On the other hand, he would suggest that in course of time, the law on the subject should be still further liberalised and the existing rule of exclusion should be relaxed in favour of congenital lunacy or idiocy also. He pointed out that the difficulty about the management of property referred to by the previous speakers could be got over by appointing a ward or guardian for the purpose.

In conclusion, he said that on humanitarian grounds, it would be best to remove all bar against succession of heirs to joint family properties.

Mr. S. K. VENKATARANGA IYENGAR who spoke next, expressed surprise that Mysore should have taken such a long time to amend a law which had become an anachronism. He said that while other parts of India had removed the defects in the law of succession, it was not right for Mysore to lag behind.

Modern Germany, under its dictatorship, had passed a legislation for sterilising all persons with physical defects so that the progeny of such persons might not inherit the same defects. Though such a move might be justified on scientific grounds, he said that its adoption here would offend against the Indian sentiment, as Indians were staunch believers in the law of Karma and were opposed to penalising any person on the doubtful value of scientific theory.

Mr. VENKATARANGA IYENGAR did not agree with Mr. Narasinga Rao that the disability should extend to persons who might have become lunatics or idiots at the time the succession opened. He said that Mysore was in advance of British India in the matter of Hindu Law reform and personally felt that in consonance with enlightened humanitarian ideas, the law should be made more liberal than what was contemplated in the bill. In this view he suggested that the disqualification proposed to be retained in the case of congenital lunatics or idiots also be removed. As regards the difficulty about the management of the property, he said that the wife or some other member of the family might have the requisite capacity to manage it. If necessary, courts might be given the power to appoint guardians as in the case of minors to manage the properties of such persons. Suitable amendments might be introduced to that end in the Guardianship and Wards Regulation or a special Court of Wards Regulation be enacted for the purpose.

He did not see any reason why the Mysore legislature should go only to the extent to which the British Indian

Act had gone and stop at that limit mechanically. On the other hand he very much wished the State to go a step further and remove the disqualifications in the matter of inheritance by congenital lunatics and idiots also.

Mr. M. A. GOPALASWAMI IYENGAR said that there was no doubt that the bill was in consonance with modern notions of justice and equity and tried to modify the rule of exclusion from inheritance under the Hindu Law. Some of the previous speakers had urged that the bill should also be made applicable to congenital lunatics and idiots. The Hindu Law of Inheritance comprised the law of survivorship as well as the law of succession. So far as the law of succession was concerned, there would not be much difficulty if lunatics and idiots were also given the right of inheritance. As regards the law of survivorship, there would be practical difficulties if mentally disabled persons were given the right of inheritance. Unlike the other classes of excluded persons, they would have no contractual capacity and could not deal with property except through a committee or guardian. If the rule of exclusion was abrogated, they would under the Hindu Law become coparceners having a right by birth in the property of the joint family as well as a right to claim partition. As they would be unable to exercise those rights except through a committee or guardian, the integrity of the joint family might be endangered by the appointment of strangers as committees or guardians. In view of those practical difficulties, the rule of exclusion so far as lunatics and idiots were concerned, was not amended in British India. The speaker therefore thought it necessary that Government should examine all those difficulties before trying to bring congenital lunacy or idiocy within the purview of the bill.

Mr. Belur SRINIVASIENGAR, while admitting that the bill was a beneficent measure, felt that it did not go far enough.

Mr. PRESIDENT pointed out that it was safer to proceed step by step.

Mr. Belur SRINIVASIENGAR thought that in simple matters, instead of going step by step, there was no harm in covering two steps at a time.

He said that at the time of amending the Hindu Law as to the rights of women, Government had shown a certain amount of liberal-mindedness. But the same liberality was not in evidence in the case of the measure before the House. The bill under reference sought to retain the rule of exclusion in respect of congenital lunacy and idiocy. He was of opinion that even that disqualification should be removed as it would not be just and equitable to make an invidious distinction as between heirs in one and the same family.

If the present rule of exclusion was retained and born lunatics or idiots were debarred from inheritance, a difficulty might arise if perchance an excluded person should regain his senses in course of time. There would be no property for him to inherit then and he would become destitute and helpless. Such a contingency also could be provided for by the total removal of the disqualification.

As regards the management of properties inherited by such persons, the speaker did not think that there were insuperable difficulties. They could be got over by the application of the Guardians and Wards Regulation.

With these remarks, he supported the general principles of the bill.

Rao Sahib M. RAMASWAMY was of opinion that the measure would be of no benefit to the society. As a result of the existing system of division of joint family properties, even big estates were getting parcelled out into small bits. And to make matters worse, as a result of the proposed amendment, the rule of exclusion against certain classes of heirs with physical and mental defects would be removed and even heirs who had no capacity to manage the property would get a share. Naturally such properties would have to be entrusted to third parties for management and in almost all cases the property would be mismanaged and lost. Thereby both the individual as well as the joint family would be deprived of that share of the property. So, in the higher interests of the joint family property, the speaker thought it was

desirable to retain the existing rule of exclusion intact, in respect of all those who had no capacity to manage the property by themselves. This would at least ensure the defectives being cared for and maintained by the other members of the family. For these reasons, he thought that the question of amending the existing law had to be undertaken with great caution. He therefore opposed the bill.

Mr. PUTTARAMA SETTY said that those who opposed the bill did not take into consideration the cases of the unfortunate children of a Hindu joint family who might have physical defects or deformities. It was the duty of the legislature to see that provision was made to ensure the proper care and maintenance of all those children. As matters stood, they did not possess the wherewithal even to claim their share of the property with the aid of courts. At best they could sue the other members *informa pauperis*. For these reasons he strongly supported the bill.

Mr. T. MARIYAPPA thanked the Government for having brought in the amending bill though belated. He felt that it was not sufficient to limit the scope of the bill to the level of the British Indian Act but that its provisions should be extended so as to include even congenital lunatics ~~or~~ idiots as well, and suggested the incorporation of two salutary provisions for the purpose of safeguarding the property inherited by that class of heirs, *viz.*, (1) declaration of the natural guardian of the defective heirs or the appointment by the court of a guardian in the absence of a natural guardian, as at present the Guardians and Wards Regulation did not apply to them if they were not minors; and (2) the guardians should not however be given unfettered discretion, but their powers of management should be limited by the application of Hindu Law or by the application of the Guardians and Wards Regulation, as in the case of minors.

At this stage, the Assembly rose for lunch and met again at 3-30 p.m.

Mr. L. VEMA REDDY, in supporting the measure, said that whatever might have been the reasons in the past for excluding from inheritance certain classes of heirs suffering from congenital, physical or mental defects, the law deserved to be modified as it did not suit modern conditions. The social out-look at the present day was altogether different from what it was in the past. The joint family system was fast crumbling down, and every member of the joint family was particular about getting his or her share of the property and living independently. "Every man for himself," had become the order of the day. Under such a state of affairs, it would be too much to expect ~~such~~ people to treat their unfortunate brothers, who were suffering from physical or mental defects, with the affection and consideration due to them. The plight of those people was that they were not being cared for by their own blood relations; they had no right for any share in the family property, and they were not in a position to earn their bread by any kind of service. The speaker asked as to what should become of persons placed under such circumstances. He emphasized that it was the duty of the Government to safeguard the rights of these people by removing the existing disqualification in their case in the matter of inheritance.

Continuing, **Mr. VEMA REDDY** said that one of the reasons urged against the removal of the existing disqualification was that a person suffering from a mental or a physical defect would not be in a position to manage his share of the property and there was every chance of its being lost to the family. That difficulty could be overcome by appointing a suitable guardian as in the case of minors to look after the property as long as the person was alive and then it might be disposed of to the best advantage of the joint family.

The speaker did not believe that the progeny of persons suffering from physical defects would necessarily inherit similar defects. He had known of instances in which the children born of parents suffering from such defects were sound both in mind and body. If the existing disqualification was not

lifted, such children would be deprived of their share of the property for no fault of theirs.

Referring to the suggestion made by Mr. Belur Srinivasiengar and others that Government should have gone a step further and removed the disqualification in the case of congenital lunatics and idiots also, **Mr. VEMA REDDY** said that in matters pertaining to social legislation, it was desirable to proceed cautiously feeling the ground at every step. In this view he thought that the measure before the House was quite sound. If at a later stage it was considered necessary to extend the rights of inheritance to congenital lunatics and idiots also, nothing would prevent the Government from doing so by further amending the law.

With these observations he wholeheartedly supported the measure.

Mr. Bagamane DEVA GOWDA, speaking next, said that there should have existed sufficient grounds in British India for retaining the disqualification in respect of congenital lunatics and idiots to inherit property, and it was therefore not advisable for the State to go farther than what British India had done, at least for the time being. If, however, it was considered necessary at a later stage to remove the disqualification even in the case of born idiots and lunatics, nothing precluded the Government from amending the law further. With these observations, he supported the measure.

Sri. K. D. RUKMINIAMMA, in further supporting the measure, expressed her gratitude to Government for having amended the Hindu Law in the matter of women's rights to inheritance. The measure before the House, she said, was another beneficent measure in that it sought to remove the disqualification for inheritance in the case of persons suffering from certain physical defects. This should have been done even at the time of amending the Hindu Law in respect of women's rights, and as such, the measure had not come a day too soon. As regards the details of the bill, she said that the disqualification in the case of congenital lunatics and idiots also should be removed.

Mr. H. M. CHANNABASAPPA also supported the measure and said that even congenital lunatics and idiots might be given inheritance rights and provision made for the proper maintenance of their properties by appointment of guardians as in the case of the management of properties of minors. For this purpose, he suggested that the provisions of the Wards and Guardians Regulation might be extended to this class of persons also.

Mr. MUNIVENKATAPPA, in endorsing the above view, said that no alienation of property should be permitted during the life-time of the person.

Mr. P. SUBBARAMA CHETTY said that he had known of cases wherein lunatics had, after marriage, ceased to be as such and lived happily and had even intelligent children. The converse of it was also probable as idiots had been born of very intelligent parents. Denial therefore of the right to inherit property to such people on the ground of lunacy or idiocy, would result in penalising them and their children. For this reason, he suggested that the State might go ahead of British India and remove the disqualification in the case of congenital lunatics and idiots also. With these remarks he supported the measure.

Mr. K. CHENGALARAYA REDDY, while sympathising with the members who said that even born idiots and lunatics should be given the right to inherit property, pointed out that there were some practical difficulties in the way of the proper management of their properties under the law as it stood at present. There was provision for the management of the property of a minor who was born blind. But the speaker was doubtful if there was any such provision for the management of the property after the minor attained majority. He felt that there must be provision for a suitable agency to manage the property even after the person attained the majority. If it could be provided for in the case of the blind, he saw no reason why the disqualification in the case of born lunatics and idiots should not be removed and the same procedure adopted in respect of the management

of their properties. With these observations, he supported the measure.

Mr. K. SRINIVASIAH said that in almost all cases wherein the management of property had been entrusted to guardians, misappropriation had become a common feature and the family had invariably lost the property. For this reason he suggested that, as in the Mahomedan Law, the right of pre-emption be provided for as a safeguard in such cases where the family property, owing to mismanagement as aforestated, was likely to be lost to the family. With this qualification, he supported the bill.

Shroff RANGASWAMY CHETTY also supported the general principles of the measure.

Replying on behalf of the Government, **the FIRST MEMBER of COUNCIL (Rajamantrapravina S. P. Rajagopalachari)** observed that while many of the speakers had supported the measure, some had made certain suggestions in addition. He assured the members that their suggestions would be duly considered. It was not the intention of Government, he said, to retain for all time the disqualification for inheritance in the case of persons suffering from congenital lunacy or idiocy. But, as pointed out by Mr. Chengalaraya Reddy, there were some practical difficulties in the way of extending inheritance rights to such persons at present. That was the very reason why the disqualification in their case was kept up. It was no doubt easy to give rights of inheritance to them also. But how best the properties inherited should be managed without detriment to their interests had to be considered. For the present, however, it was sufficient to amend the Hindu Law on the lines of the British Indian Act. Government would not hesitate to take a step forward and remove the disqualification in respect of congenital idiots and lunatics also after careful consideration of all the practical difficulties involved in the working of the proposed law. With these observations, he hoped that the House would support the measure.

The general principles of the bill were thereupon put to vote and adopted.

V General Principles of the Bill for the Regulation of Wireless Telegraphy in Mysore.

The SECRETARY to GOVERNMENT, DEVELOPMENT DEPARTMENT (Mr. M. Venkatanaranappa) explained the general principles of the Bill as follows:—

The Indian Telegraph Act of 1885 has been made applicable to the State by the Mysore Telegraph Regulation IV of 1899. The British Indian Act has since been amended in 1914 and the amending Act brought wireless apparatus and wireless appliances within the scope of the Telegraph Act. The establishment, maintenance or working of wireless telegraph apparatus are controlled, under the Act, by the issue of licences, and penalties are prescribed for contravening the provisions of the Act. Subsequently, the Indian Wireless Telegraph Act of 1933 was passed which requires a licence even for the possession of wireless appliances as distinct from establishment, maintenance and working.

The British Indian Acts of 1914 and 1933 have not been adopted in Mysore, and consequently there is, at present, no statutory bar to the operation or possession of wireless apparatus here. Broadcast receiver licences are being issued by the Director of Industries and Commerce under the authority of a Government Order on the same lines as in British India, on payment of an annual fee of Rs. 10 per licence; but the Director has brought to notice that in the absence of specific provision in the existing law in Mysore for enforcing licences being taken out for putting up wireless installations and maintaining them, no action could be taken against persons who have either not taken out licences or having once done so, have not renewed them. It is therefore, considered desirable to introduce legislation to regulate the possession, establishment and working of wireless apparatus in the State. A bill has accordingly been drafted. It combines the provisions of the Indian Telegraph Amending Act of 1914 and the Indian Wireless Telegraphy Act of 1933 so far as they relate to Wireless Telegraphy.

The bill provides for taking out a licence for operation of broadcasting and receiving sets and for possession of wireless appliances, and the establishment or possession without licence is made punishable. Provision is made for granting, out of the fine inflicted, any sum for the benefit of any broadcasting service as a contribution towards the cost of its maintenance in return for the benefit derived from it.

The general principles were accepted by the House nem con.

VI. General Principles of the Bill further to amend the Mysore Village Panchayet Regulation.

The SECRETARY to GOVERNMENT, DEVELOPMENT DEPARTMENT (Mr. M. Venkatanaranappa) explained the general principles of the Bill as follows:—

Under Section 3 (10) of the Village Panchayet Regulation, the term "village" is defined to mean a local area recognised by the Government to be a village for purpose of collecting the land revenue. A revenue village comprises not only the residential areas of the village and its hamlets but all the agricultural and communal lands within its boundaries. Such a unit is not always found to be the most convenient for purposes of panchayet administration. It may sometimes be necessary to constitute portions of one or more revenue villages into a panchayet area. Such an arrangement would be suitable, for instance, in cases where industrial colonies have sprung up in the neighbourhood of factories, such as the Mandya Sugar Factory and the Bhadravati Iron and Steel Works. It is, therefore, proposed to add a section to the Village Panchayet Regulation on the lines of Section 102 of the District Boards' Regulation so as to enable the Government to exclude any particular area in a village from the operation of the provisions of the Village Panchayet Regulation and placing such excluded area under the jurisdiction of a special panchayet with specified powers.

The Mysore Village Panchayet Regulation is proposed to be amended accordingly.

Mr. V. V. IYER brought to notice that prior to the springing up of industrial concerns in rural areas, the villagers were enjoying good enough sanitation given by nature. But after the development of the area into an industrial centre, the sanitation of the area was affected prejudicially owing to the increase in population. Apart from that handicap, the higher wages paid by the industrial concerns began to attract the raiyats and that resulted in prejudicing the agricultural operations in the area. Thus the starting of industrial concerns in rural areas was responsible for affecting the even tenor of village life. The bill sought to separate the survey numbers of a village or villages comprised in the industrial colony from the jurisdiction of the existing village panchayet and constituting them into a special panchayet. Thus while the people in the newly constituted panchayet would be enjoying all the civic amenities specially created therein, those in the other part of the same village would have to forgo all those amenities. With a view to remove such a disability, he suggested that the entire village might be taken within the jurisdiction of the special panchayet of the industrial colony, especially as the latter owed a duty to the villagers to make amends for having brought about a change in rural economy in that area.

Mr. T. MADIAH GOWDA pointed out that so far as he was aware there were only two industrial centres worth the name in the mofussil, *viz.*, the Bhadravati Iron Works and the Mandya Sugar Factory. That being so, he did not know how this question would affect the Village Panchayet Regulation. If at all, it might affect the Municipal Regulation. If, however, it did affect the Village Panchayet Regulation, he thought it would not be equitable to constitute a special panchayet for the exclusive benefit of the colony and thus deprive the other portions of the existing panchayet area of the benefits of the civic amenities created in the

colony. He was very keen that equal facility should be created to all the people in the locality to march alongside of the colonists in civic matters, and on that ground he opposed the bill as it aimed at splitting up the existing jurisdiction.

Mr. Bagamane DEVA GOWDA pointed out that the position of the industrial colonies was similar to that of the coffee plantations. When the planting area was proposed to be brought under the jurisdiction of the neighbouring village panchayet, the European planters agreed to pay the taxes under the Regulation but stipulated that the panchayet concerned should not interfere in plantation matters. He therefore thought that, apart from the question of jurisdiction, the industrial colonists ought to agree to pay the taxes due to the existing village panchayets in view of the fact that the village panchayet movement was in its infancy and its resources deserved to be augmented in every possible way. In case, however, it was proposed to exempt the colonists from payment of the village panchayet taxes, he was afraid that a similar concession would have to be shown to the coffee planters as well.

The SECOND MEMBER (Rajamantrapravina N. Madhava Rau) observed that there was apparently some misconception regarding the object of the measure. The present position was that all areas outside the municipal limits were included in the jurisdiction of village panchayets. It was possible that industrial colonies established in connection with factories might include areas under the jurisdiction of several village panchayets and perhaps of a municipality as well. The position of such a colony would be anomalous if the local affairs of different portions of it were under different local bodies. Such an arrangement would be administratively very inconvenient. It was desirable that the affairs of such a colony should be administered by a single local authority. The accident of the area being technically included in different panchayet areas should not come in the way of this obviously desirable measure being secured.

Referring to objections raised by Mr. V. V. Iyer, **Mr. N. MADHAVA RAU** observed that it was not the intention of Government to keep industrial colonies separate from the residential portions of a village if the two formed a compact area. But where the colony was separate and distant from the residential area of a village, it would be inappropriate to bring them together under one or more panchayets. It was the object of the bill to ensure that the arrangements for the administration of local affairs were adapted to the needs and requirements of the village proper on the one hand and the industrial settlement on the other.

Mr. S. C. MALLIAH suggested that if the idea was to enable the Government to take power to introduce a special legislation for the purpose of administering those particular areas, and if it was also the intention of the Government not to neglect the remaining portion of the village, the entire village might be taken over within the jurisdiction of the special panchayet.

Mr. N. MADHAVA RAU explained that the arrangement did not preclude a village or villages being included in the industrial colony, if it was to the advantage of both to be placed under a common administration The cases that were in view, however, were those in which an industrial colony was situated within the boundaries of two or three villages while it was fairly distant from the *gavtana* of each such village.

Mr. L. VEMA REDDY, in strongly supporting the bill, said that it would not affect the existing rights of village panchayets in any way. He had no doubt that the villages surrounding the industrial colony had everything to gain by way of civic amenities and nothing to lose. Under the Municipal Regulation, the Government had power to fix the municipal boundary and to change it from time to time. He thought that they could exercise similar powers in the case of village panchayets also.

Rao Sahib M. RAMASWAMY, speaking in support of the bill, said that when such industrial colonies were formed in rural areas the villagers in the

neighbourhood could share in all the civic amenities, such as, water-supply, medical aid, sanitation, lighting, schools, etc., and that at concession rates. The colonists were certainly not going to obstruct them from enjoying those amenities.

The general principles of the bill were then put to vote and passed.

Telegraphic Address:—"INDUSCOM."

GOVERNMENT OF MYSORE.

DEPARTMENT OF INDUSTRIES AND COMMERCE.

In reply please refer to
No. C1-335/31-32
Encl.

OFFICE OF THE DIRECTOR,

Dated Bangalore, 12th December 1934

13

FROM

A. V. RAMANATHAN, ESQ., B.A.,
Director of Industries and Commerce in Mysore,
Bangalore (India).

TO

M. Venkatanaranappa, Esq., B.A.,
Secretary to the Government of Mysore,
Development Department, Bangalore.

DEV. & REV. SECRETARIAT
14 DEC. 1934
DEVELOPMENT

SIR,

Re: Amendment of Mysore Telegraph Regulation on the lines of the British Indian Act.

I have the honor to invite your kind reference to para (4) of your letter No. D3/P & T 11-30-5 on the above subject and to state that it is very necessary that the Mysore Telegraph Regulation of 1895 should be amended so as to bring it into conformity with the Indian Telegraph Acts so that necessary action may be taken against those that have been working Wireless Stations without obtaining licenses or in contravention of the conditions of the license. It is understood that there are a number of unlicensed Receiver sets and Government is losing the revenue. Therefore Legislation even by ordinance is desirable. I request you to kindly obtain early orders of Government in the matter.

I have the honor to be,
Sir,
Your most obedient servant,

Director.

USC)2

Appendix F. G.–1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat.

( )

the *193*

Date of issue 11/3/35

Signed by .....

List of enclosures.....

Copied by.....

Examined by.....

Section.

File No.

Serial No.

No. P4945

To

The Director P & C

Sir,

I am directed to invite reference to the Indian Wireless Telegraph Act, 1933. (Act XVII of 1933) to regulate the possession of Wireless Telegraphy apparatus and to request to be informed of your views regarding the introduction of a similar law in India in view of the fact that wireless apparatus are increasing in use.

I have etc

for General

3

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

No. P4945 — 11

Dated, Bangalore, 9th March *193*5

From

The *General Secretary to the Government of His Highness the Maharaja of Mysore.*

To

The Director of Industries and Commerce in Mysore,
Bangalore.

Sir,

I am directed to invite reference to the British Indian Wireless Telegraphy Act, 1933 (Act XVII of 1933) to regulate the possession of wireless telegraphy apparatus and to request to be informed of your views regarding the introduction of a similar law in Mysore in view of the fact that wireless apparatus are increasing in Mysore.

I have the honor to be,

Sir,

Your most obedient servant

for General Secretary to Government.

4 67 p 835

Telegraphic Address:—"INDUSCOM."

GOVERNMENT OF MYSORE.

DEPARTMENT OF INDUSTRIES AND COMMERCE.

In reply please refer to
No. C.335/31-32
Encl.

OFFICE OF THE DIRECTOR,
Dated Bangalore, 3rd July 1935.

FROM
S. Abdul Wajid, Esq.,B.A.,
Director of Industries and Commerce in Mysore,
Bangalore (India).

3 JULY 1935
To Law

H. V. Ramaswami, Esq.,M.A.,B.L.,
General Secretary to the Government of Mysore,
Bangalore.

SIR,

Re. Regulating possession of Radio Sets in the State.

With reference to your letter No.P.4945/Legis. dated 9/11th March 1935 on the above subject, I have the honour to state that it is very necessary that the Mysore Telegraph Regulation of 1895 should be amended so as to bring it into conformity with the British Indian Wireless Telegraphy Act XVII of 1933, so as to make it possible for action to be taken against those that work Wireless Station without obtaining licenses or the contraventions of the conditions of license. It is understood that there are a number of unlicensed wirless sets in the State and Government is losing revenue. Therefore, legislation even by ordinance is desirable. Early orders of Government may kindly be obtained in the matter.

I have the honour to be,
Sir,
Your most obedient servant,

Director.

BV.

5

A BILL FOR THE REGULATION OF WIRELESS TELEGRAPHY IN MYSORE.

Whereas it is expedient to regulate the establishment, maintenance, working and possessio of wireless telegraphy apparatus in Mysore; it is hereby enacted as follows:--

Short title, extent, and commencement.

1 (1). This Regulation may be called the Mysore Wireless Telegraphy Regulation, 193

(2) It extends to the whole of Mysore.

(3) It shall come into force on such date as the Government may by notification in the Official Gazette, appoint.

Definitions:

2. In this Regulation unless there is anything repugnant in the subject or context:

(1) "Wireless communication" means the making, transmitting or receiving of telegraphic, telephonic or other communications by means of electricity or magnetism without the use of wires or other continuous electrical conductors between the transmitting and the receiving apparatus;

(2) "wireless telegraphy apparatus" means any apparatus, appliance, instrument or material used or capable of use in wireless communication, and includes any article determined by rule made under Section 14 to be wireless telegraphy apparatus, but does not include any such apparatus, appliance, instrument or material commonly used for other electrical purposes, unless it has been specially designed or adapted for

wireless communication or forms part of some apparatus, appliance, instrument or material specially so designed or adapted, nor any article determined by rule made under section 14 not to be wireless telegraphy apparatus; and

(3) "prescribed" means prescribed by rules made under section 14.

Prohibition of possession of wireless telegraphy apparatus without license.

3. Save as provided by section 4, no person shall establish, maintain, work or possess wireless telegraphy apparatus except under and in accordance with a license issued under this Regulation.

Power of Government to exempt persons from provisions of the Regulation.

4. The Government may by rules made under this Regulation exempt any person or any class of persons from the provisions of this Regulation either generally or subject to prescribed conditions, or in respect of specified wireless telegraphy apparatus.

Licenses.

5 (1) The Government may, by notification in the Official Gazette, constitute the authority who shall be competent to issue licenses to establish, ~~possess~~, maintain, work or possess wireless telegraphy apparatus under this Regulation. Such authority may issue licenses in such manner, subject to such restrictions and conditions and subject to such payments as may be prescribed.

Revocation of Licenses.

(2) The Government or the authority constituted under ~~Section 5~~ sub-section (1) may, at any time, revoke any license granted under ~~section 5~~ wire- on

the breach of any of the conditions therein contained, or in default of payment of any consideration payable thereunder.

6 (1) On the occurrence of any public emergency, or in the interest of the public safety, the Government, or any officer specially authorized in this behalf by the Government, may

(a) take temporary possession of any wireless telegraphy apparatus established, maintained, worked or possessed by any person licensed under this Regulation; or

(b) order that any wireless communications or class of wireless communications to or from any person or class of persons or relating to any subject shall not be transmitted by any wireless telegraphy apparatus or shall be intercepted or detained, or disclosed to the Government or an officer thereof mentioned in the order.

(2) If any doubt arises as to the existence of a public emergency or whether any act done under sub-section (1) was in the interest of the public safety, a certificate signed by a Secretary to the Government shall be conclusive proof on this point.

Offence and Penalty.

7. (1). Whoever possesses any wireless telegraphy apparatus in contravention of the provisions of section 3 shall be punished, in the case of the first offence with fine which may extend to one hundred rupees, and in the case of a second or subsequent offence. with fine which may extend to two hundred and fifty rupees.

(2) For the purposes of this section, a Court may presume that a person possesses wireless telegraphy apparatus if such apparatus is under his ostensible charge, or is located in any premises or place over which he has effective control.

8. Whoever establishes, maintains or works ~~unde~~ wireless telegraphy apparatus in contravention of the provisions of Section 3 shall be punished with imprisonment which may extend to three years or with fine or with both.

9. If the holder of a license granted under Section 3 contravenes any condition contained in his license, he shall be punished with fine which may extend to one thousand rupees and with a further fine which may extend to five hundred rupees for every week during which the breach of the condition continues.

Power of search.

10.(1) The District Magistrate, or a Magistrate of the First Class or a Magistrate of the Second Class specially empowered by the Government in this behalf, may issue a warrant for the search, at any time between sunrise and sunset, of any building, or place in which he has reason to believe that any wireless telegraphy apparatus in respect of which an offence punishable under this Regulation has been committed, is kept or concealed.

(2) The officer to ~~whom~~ whom a search warrant under sub-section (1) is addressed may enter into any building, or place mentioned in the warrant and seize any wireless telegraphy

apparatus in respect of which he has reason to believe an offence under this Regulation has been committed.

11. (1) If in the trial of an offence under this section, the accused is convicted, the Court shall decide whether any apparatus in respect of which an offence has been committed should be confiscated, and if it so decides, may order confiscation accordingly.

Apparatus confiscated or having no owner to be property of Government.

(2) All wireless telegraphy apparatus confiscated under sub-section (1) and all wireless telegraphy apparatus having no ~~owner~~ ostensible owner shall be the property of the Government.

12. Notwithstanding anything contained in the Code of Criminal Procedure, 1904, offences under this Regulation shall, for the purposes of the said Code, be bailable and noncognisable.

Power of court to direct payment of fines to prescribed authority.

13. A Court inflicting a fine as punishment for any offence under this Regulation or Rules made thereunder may direct that the amount of the fine or any part of it shall be paid to the prescribed authority to be utilised for the benefit of any Broadcasting Service approved in this behalf by the Government.

Power of Government to make rules.

14. (1) The Government may, by notification in the Official Gazette, make rules for the purpose of carrying into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for -

(i) determining that any article or class of article shall be or shall not be wireless telegraphy apparatus for the purposes of this Regulation;

(ii) the exemption of persons or classes of persons under section 4 from the provisions of this Regulation;

(iii) the manner of and the conditions governing the issue, renewal, suspension and cancellation of licenses, the form of licenses, and the payments to be made for the issue and renewal of licenses;

(iv) the ~~conditions~~ maintenance of records containing details of the acquisition and disposal by sale or otherwise of wireless telegraphy apparatus possessed by dealers in wireless telegraphy apparatus;

(v) the conditions governing the sale of wireless telegraphy apparatus by dealers in and manufacturers of such apparatus; and

(vi) ~~determining~~ constituting the authority referred to in section 5...

(3) In making a rule under this section, the Government may direct that a breach of it shall be punishable with fine which may extend to one hundred rupees.

Statement of Objects and Reasons.

In order to strictly regulate the establishment and working of wireless apparatu in British India, the Indian Telegraph Act of 1885 was amended by Act VII of 1914. The establishment maintenance or working of wireless telegraph apparatus was controlled under the Act by the issue of licenses. Unlicensed apparatus could not be detected unless they were located. Act XVII of 1933 was therefore passed in British India to prohibit the possession without license of ~~xxxx~~ wireless apparatus as distinct from their establishment, maintenance or working.

Though the Indian Telegraph Act has been made applicable to Mysore by Regulation IV of 1899, the amendments introduced in British India by Act VII of 1914 have not been adopted in Mysore. In view of the increasing use of radio telegraph apparatus in Mysore, it is desirable to take statutory power to control and regulate in Mysore their possession, establishment, maintenance and working.

The main features of the bill are as follows: -

Clause 3. No person may establish, maintain, work or possess a wireless telegraph apparatus except under a license.

Clause. 4. Power is however, taken to exempt from license in certain cases such as those used for research purposes.

Clause 5 (2) The condition and the fee for licenses will be prescribed by rules. Breach of any conditions will involve the revocation of the license and is also punishable with fine.

Clause 6. Provision is also made for the control of the working of wireless telegraph apparatus and the sending and receiving of wireless communications in times of emergency or in the interests of public safety. Occasions may arise when such control would be necessary.

Clauses 7 & 8. The establishment or possession of the apparatus without license is made punishable.

Clause 10. Power of search is provided for as it is necessary for the proper enforcement of the Regulation.

Clause 11. Apparatus in respect of which an offence has been committed may be confiscated if the Court so orders it.

Clause 13. Provision is ~~also~~ made for ~~the~~ granting out of the fine inflicted any sum for the benefit of any broad casting service as a contribution towards the cost of its maintenance in return for the benefit derived out of it.

Clause 14. ~~The conditions and the fee for license will be prescribed by rules.~~ Provides for the making of rules.

General principles of the Bill for the regulation of wireless telegraphy in Mysore.

- - -

The Indian Telegraph Act of 1885 has been made applicable to the State by the Mysore Telegraph Regulation IV of 1899. The British Indian Act has since been amended in 1914 and the amending Act brought wireless apparatus and wireless appliances within the scope of the Telegraph Act. The establishment, maintenance or working of wireless Telegraph apparatus is controlled, under the Act, by the issue of licenses, and penalties are prescribed for contravening the provisions of the Act. Subsequently, the Indian Wireless Telegraph Act of 1933 was passed which ~~prohibited even the possession, without~~ require a certificate from a license, of wireless appliances as distinct from ~~their~~ establishment, maintenance and working.

2. The British Indian Acts of 1914 and 1933 have not been adopted in Mysore, and consequently there is, at present, no statutory bar to the operation or possession of wireless apparatus here. Broadcast receiver licenses are being issued by the Director of Industries and Commerce under the authority of a Government Order on the same lines as in British India, on payment of an annual fee of Rs.10/- per license, but the Director has brought to notice that in the absence of specific provision in the existing law in Mysore for enforcing licenses being taken out for putting up wireless

(4

installations and maintaining them, no action could be taken against persons who have either not taken out licenses or having once done so, have not renewed them. It is therefore condidered desirable to introduce legislation to regulate ~~strictly~~, the possession, establishment and working of wireless apparatus in the State. ~~The accompanying~~ A Bill has accordingly been drafted. It combines the provisions of the Indian Telegraph Amending Act of 1914 and the Indian Wireless Telegraphy Act of 1933 so far as they relate to Wireless Telegraphy.

The Bill provides for taking out a license for operation of broadcasting and receiving sets, and for possession of wireless appliances, and the establishment or possession without license is made punishable Provision is made for granting, out of the fine inflicted, any sum for the benefit of any broadcasting service as a contribution towards the cost of its maintenance in return for the benefit derived from it.

Ko)

(c)
25.8.36

21/9/36.

V. General Principles of the Bill for the Regulation of Wireless Telegraphy in Mysore.

The Indian Telegraph Act of 1885 has been made applicable to the State by the Mysore Telegraph Regulation IV of 1899. The British Indian Act has since been amended in 1914 and the amending Act brought wireless apparatus and wireless appliances within the scope of the Telegraph Act. The establishment, maintenance or working of wireless Telegraph apparatus is controlled, under the Act, by the issue of licenses, and penalties are prescribed for contravening the provisions of the Act. Subsequently, the Indian Wireless Telegraph Act of 1933 was passed which requires a license even for the possession of wireless appliances as distinct from establishment, maintenance and working.

The British Indian Acts of 1914 and 1933 have not been adopted in Mysore, and consequently there is, at present, no statutory bar to the operation or possession of wireless apparatus here. Broadcast receiver licenses are being issued by

intended that neither the convert nor his relations in the religion which he has left should either lose or gain by the conversion or by the loss of caste of one of the members of the family.'

No person or heir of such person will be deprived of any vested interest in property or any right of inheritance or personal right by reason of his having renounced or being excluded from any religion or of his being deprived of his caste. This right is subject to the important proviso that the convert shall not acquire or retain or exercise any right which is peculiar or appropriate only to the religion from which he has seceded.

Further no person shall be divested or deprived of any property or right of inheritance or personal right by reason merely of another person having renounced his religion or being deprived of caste. It is intended by this provision to secure to those who remain within the fold of the religion from which the convert has seceded their reciprocal rights. It will be further provided that no person shall be forced to do any act or to suffer any act inconsistent with or not appropriate to his

the Director of Industries and Commerce under the authority of a Government Order on the same lines as in British India, on payment of an annual fee of Rs. 10 per license; but the Director has brought to notice that in the absence of specific provision in the existing law in Mysore for enforcing licenses being taken out for putting up wireless installations and maintaining them, no action could be taken against persons who have either not taken out licenses or having once done so, have not renewed them. It is, therefore, considered desirable to introduce legislation to regulate the possession, establishment and working of wireless apparatus in the State. A Bill has accordingly been drafted. It combines the provisions of the Indian Telegraph Amending Act of 1914 and the Indian Wireless Telegraphy Act of 1933 so far as they relate to Wireless Telegraphy.

The Bill provides for taking out a license for operation of broadcasting and receiving sets and for possession of wireless appliances, and the establishment or possession without license is made punishable. Provision is made for granting, out of the fine inflicted, any sum for the benefit of any broadcasting service as a contribution towards the cost of its maintenance in return for the benefit derived from it.

NOTIFICATION.

No. 2156—L. C., Bangalore, dated 26th November 1936.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill for the Regulation of Wireless Telegraphy in Mysore is published for general information with the statement of objects and reasons.

By Order,

A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

A Bill for the Regulation of Wireless Telegraphy in Mysore.

Whereas it is expedient to regulate the establishment, maintenance, working and possession of wireless telegraphy apparatus in Mysore; It is hereby enacted as follows :—

Short title, extent and commencement.

1. (1) This Regulation may be called the Mysore Wireless Telegraphy Regulation, 193 .

(2) It extends to the whole of Mysore.

(3) It shall come into force on such date as the Government may by notification in the Official Gazette, appoint.

Definitions.

2. In this Regulation unless there is anything repugnant in the subject or context :—

(1) " Wireless communication " means the making, transmitting or receiving of telegraphic, telephonic or other communications by means of electricity or magnetism without the use of wires or other continuous electrical conductors between the transmitting and the receiving apparatus;

(2) " wireless telegraphy apparatus." means any apparatus, appliance, instrument or material used or capable of use in wireless communication, and includes any article determined by rule made under Section 14 to

be wireless telegraphy apparatus, but does not include any such apparatus, appliance, instrument or material commonly used for other electrical purposes, unless it has been specially designed or adapted for wireless communication or forms part of some apparatus, appliance, instrument or material specially so designed or adapted, nor any article determined by rule made under Section 14 not to be wireless telegraphy apparatus; and

(3) "prescribed" means prescribed by rules made under Section 14.

Prohibition of possession of wireless telegraphy apparatus without license.

3. Save as provided by Section 4, no person shall establish, maintain, work or possess wireless telegraphy apparatus except under and in accordance with a license issued under this Regulation.

Power of Government to exempt persons from provisions of the Regulation.

4. The Government may by rules made under this Regulation exempt any person or any class of persons from the provisions of this Regulation either generally or subject to prescribed conditions, or in respect of specified wireless telegraphy apparatus.

Licenses.

5. (1) The Government may, by notification in the Official Gazette, constitute the authority who shall be competent to issue licenses to establish, maintain, work or possess wireless telegraphy apparatus under this Regulation. Such authority may issue licenses in such manner, subject to such restrictions and conditions and subject to such payments, as may be prescribed.

Revocation of Licenses.

(2) The Government or the authority constituted under sub-section (1) may, at any time, revoke any license granted thereunder on the breach of any of the conditions therein contained, or in default of payment of any consideration payable thereunder.

6. (1) On the occurrence of any public emergency, or in the interest of the public safety, the Government, or any officer specially authorized in this behalf by the Government, may

(*a*) take temporary possession of any wireless telegraphy apparatus established, maintained, worked or possessed by any person licensed under this Regulation; or

(*b*) order that any wireless communication or class of wireless communications to or from any person or class of persons or relating to any subject shall not be transmitted by any wireless telegraphy apparatus or shall be intercep-

ted or detained, or disclosed to the Government or an officer thereof mentioned in the order.

(2) If any doubt arises as to the existence of a public emergency or whether any act done under sub-section (1) was in the interest of the public safety, a certificate signed by a Secretary to the Government shall be conclusive proof on this point.

Offence and penalty.

7. (1) Whoever possesses any wireless telegraphy apparatus in contravention of the provisions of Section 3 shall be punished, in the case of the first offence with fine which may extend to one hundred rupees, and in the case of a second or subsequent offence with fine which may extend to two hundred and fifty rupees.

(2) For the purposes of this section, a Court may presume that a person possesses wireless telegraphy apparatus if such apparatus is under his ostensible charge, or is located in any premises or place over which he has effective control.

8. Whoever establishes, maintains or works wireless telegraphy apparatus in contravention of the provisions of Section 3 shall be punished with imprisonment which may extend to three years or with fine or with both.

Power of search.

9. If the holder of a license granted under Section 3 contravenes any condition contained in his license, he shall be punished with fine which may extend to one thousand rupees and with a further fine which may extend to five hundred rupees for every week during which the breach of the condition continues.

10. (1) The District Magistrate, or a Magistrate of the First Class or a Magistrate of the Second Class specially empowered by the Government in this behalf, may issue a warrant for the search, at any time between sunrise and sunset, of any building, or place in which he has reason to believe that any wireless telegraphy apparatus in respect of which an offence punishable under this Regulation has been committed, is kept or concealed.

(2) The officer to whom a search warrant under sub-section (1) is addressed may enter into any building, or place mentioned in the warrant and seize any wireless telegraphy apparatus in respect of which he has reason to believe an offence under this Regulation has been committed.

11. (1) If in the trial of an offence under this section, he accused is convicted, the Court shall decide whether ny apparatus in respect of which an offence has been

committed should be confiscated, and if it so decides, may order confiscation accordingly.

Apparatus confiscated or having no owner to be property of Government.

(2) All wireless telegraphy apparatus confiscated under sub-section (1) and all wireless telegraphy apparatus having no ostensible owner shall be the property of the Government.

12. Notwithstanding anything contained in the Code of Criminal Procedure, 1904, offences under this Regulation shall, for the purposes of the said Code, be bailable and non-cognisable.

Power of court to direct payment of fines to prescribed authority.

13. A Court inflicting a fine as punishment for any offence under this Regulation or Rules made thereunder may direct that the amount of the fine or any part of it shall be paid to the prescribed authority to be utilised for the benefit of any Broadcasting Service approved in this behalf by the Government.

Power of Government to make rules.

14. (1) The Government may, by notification in the Official Gazette, make rules for the purposes of the carrying into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*i*) determining that any article or class of article shall be or shall not be wireless telegraphy apparatus for the purposes of this Regulation;

(*ii*) the exemption of persons or classes of persons under section 4 from the provisions of this Regulation;

(*iii*) the manner of and the conditions governing the issue, renewal, suspension and cancellation of licenses, the form of licenses, and the payments to be made for the issue and renewal of licenses;

(*iv*) the maintenance of records containing details of the acquisition and disposal by sale or otherwise of wireless telegraphy apparatus possessed by dealers in wireless telegraphy apparatus;

(*v*) the conditions governing the sale of wireless telegraphy apparatus by dealers in and manufacturers of such apparatus; and

(*vi*) constituting the authority referred to in section 5.

(3) In making a rule under this section, the Government may direct that a breach of it shall be punishable with fine which may extend to one hundred rupees.

Statement of Objects and Reasons.

In order strictly to regulate the establishment and working of wireless apparatus in British India, the Indian Telegraph Act of 1885 was amended by Act VII of 1914. The establishment, maintenance or working of wireless telegraph apparatus was controlled under the Act by the issue of licenses. Unlicensed apparatus could not be detected unless they were located. Act XVII of 1933 was therefore passed in British India to prohibit the possession without license of wireless apparatus as distinct from their establishment, maintenance or working.

Though the Indian Telegraph Act has been made applicable to Mysore by Regulation IV of 1899, the amendments introduced in British India by Act VII of 1914 have not been adopted in Mysore. In view of the increasing use of radio telegraph apparatus in Mysore, it is desirable to take statutory power to control and regulate in Mysore their possession, establishment, maintenance and working.

The main features of the bill are as follows:—

No person may establish, maintain, work or possess a wireless telegraph apparatus except under a license. Clause 3.

Power is, however, taken to exempt from license in certain causes such as those used for research purposes. Clause 4.

The condition and the fee for licenses will be prescribed by rules. Breach of any conditions will involve the revocation of the license and is also punishable with fine. Clause 5 (2).

Provision is also made for the control of the working of wireless telegraph apparatus and the sending and receiving of wireless communications in times of emergency or in the interest of public safety. Occasions may arise when such control would be necessary. Clause 6.

The establishment or possession of the apparatus without license is made punishable. Clauses 7 & 8.

Power of search is provided for as it is necessary for the proper enforcement of the Regulation. Clause 10.

Apparatus in respect of which an offence has been committed may be confiscated if the Court so orders it. Clause 11.

Provision is made for granting, out of the fine inflicted, any sum for the benefit of any broadcasting service as a contribution towards the cost of its maintenance in return for the benefit derived out of it. Clause 13.

Provision is made for the making of rules. Clause 14.

Printed by the Superintendent at the Government Press, Bangalore.

Appendix F G—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

General and Revenue Secretariat

( )

the *193* .

Date of issue 26.1.37

Signed by Mrs. A.S.R

List of enclosures.....

Copied by .....

Examined by.....

Section

File No.

Serial No.

No. P4666-72 G-M

To ~~The~~ Members of the Executive Committee

The meeting of the S.E ~~Council~~ appointed to consider the Bill for the regulation of wireless telegraphy in Mysore will be held in the Chambers of the Secretariat Members of Council, Public Offices Buildings Bangalore at 8.30 A.M. on Wednesday the 27th January 1937.

B.O

WD/26/1

Secy to Govt

Copy to P.A to Hon Minister

" S.B for necessary arrangements for seats of officers of Council

" 2 copies.

The meeting of the select committee will be fixed at 8-30 Am tomorrow.

hm
26/1

YCS
NM

Inform. will be given as soon as date of meeting is fixed.

SG
26/1

Mr Manohar Kumar

Mr [illegible] Reddy

Mr S.G. Sastry

Mr K.R.S. Iyengar

Mr Imam

Govt Advocate

Mr Ramachandra

DV Gundappa

Bill as finally passed.

NOTIFICATION.

No. 2156—L. C., Bangalore, dated 26th November 1936.

Under Rule 8 of the Rules for the conduct of business of the Mysore Legislative Council, the accompanying Bill for the Regulation of Wireless Telegraphy in Mysore is published for general information with the statement of objects and reasons.

By Order,
A. SUNDARARAJA RAO,
Secretary,
Mysore Legislative Council.

A Bill for the Regulation of Wireless Telegraphy in Mysore.

Whereas it is expedient to regulate the establishment, maintenance, working and possession of wireless telegraphy apparatus in Mysore; It is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Regulation may be called the Mysore Wireless Telegraphy Regulation, 1937.

(2) It extends to the whole of Mysore.

(3) It shall come into force on such date as the Government may by notification in the Official Gazette, appoint.

Definitions.

2. In this Regulation unless there is anything repugnant in the subject or context:—

(1) "Wireless communication" means the making, transmitting or receiving of telegraphic, telephonic or other communications by means of electricity or magnetism without the use of wires or other continuous electrical conductors between the transmitting and the receiving apparatus;

(2) "wireless telegraphy apparatus." means any apparatus, appliance, instrument or material used or capable of use in wireless communication, and includes any article determined by rule made under Section ~~14~~ 13 to

be wireless telegraphy apparatus, but does not includ any such apparatus, appliance, instrument or materi commonly used for other electrical purposes, unless it ha been specially designed or adapted for wireless communica tion or forms part of some apparatus, appliance instrument or material specially so designed or adapted nor any article determined by rule made under Section not to be wireless telegraphy apparatus; and

(3) "prescribed" means prescribed by rules mad under Section 14 13.

Prohibition of possession of wireless telegraphy apparatus without license.

3. Save as provided by Section 4, no person sha establish, maintain, work or possess wireless telegraph apparatus except under and in accordance with a licens issued under this Regulation.

Power of Government to exempt persons from provisions of the Regulation.

4. The Government may by rules made under thi Regulation exempt any person or any class of person from the provisions of this Regulation either generally o subject to prescribed conditions, or in respect of specifie wireless telegraphy apparatus.

Licenses.

5. (1) The Government may, by notification in th Official Gazette, constitute the authority who shall b competent to issue licenses to establish, maintain, wor or possess wireless telegraphy apparatus under thi Regulation. Such authority may issue licenses in suc manner, subject to such restrictions and conditions an subject to such payments, as may be prescribed.

Revocation of Licenses.

(2) The Government or the authority constitute under sub-section (1) may, at any time, revoke an license granted thereunder on the breach of any of th conditions therein contained, or in default of payment o any consideration payable thereunder.

6. (1) On the occurrence of any public emergency or in the interest of the public safety, the Government, o any officer specially authorized in this behalf by th Government, may

(*a*) take temporary possession of any wireless tele graphy apparatus established, maintained worked or possessed by any person licensed under this Regulation; or

(*b*) order that any wireless communication or clas of wireless communications to or from an person or class of persons or relating to an subject shall not be transmitted by any wire less telegraphy apparatus or shall be intercep

ted or detained, or disclosed to the Government or an officer thereof mentioned in the order.

(2) If any doubt arises as to the existence of a public emergency or whether any act done under sub-section (1) was in the interest of the public safety, a certificate signed by a Secretary to the Government shall be conclusive proof on this point.

Offence and penalty.

7. (1) Whoever possesses any wireless telegraphy apparatus in contravention of the provisions of Section 3 shall be punished, in the case of the first offence with fine which may extend to one hundred rupees, and in the case of a second or subsequent offence with fine which may extend to two hundred and fifty rupees.

(2) For the purposes of this section, a Court may presume that a person possesses wireless telegraphy apparatus if such apparatus is under his ostensible charge, or is located in any premises or place over which he has effective control.

8. Whoever establishes, maintains or works wireless telegraphy apparatus in contravention of the provisions of Section 3 shall be punished ~~with imprisonment which may extend to three years or with~~ fine ~~or with both~~. which may extend to five hundred rupees.

Power of search.

9. If the holder of a license granted under Section 3 contravenes any condition contained in his license, he shall be punished with fine which may extend to one thousand rupees and with a further fine which may extend to ~~five hundred rupees for every week during which the breach of the condition continues~~. one hundred rupees and in the case of a second or subsequent offence, with fine which may extend to rupees two hundred and fifty.

10. (1) The District Magistrate, or a Magistrate of the First Class or a Magistrate of the Second Class specially empowered by the Government in this behalf, may issue a warrant for the search, at any time between sunrise and sunset, of any building, or place in which he has reason to believe that any wireless telegraphy apparatus in respect of which an offence punishable under this Regulation has been committed, is kept or concealed.

(2) The officer to whom a search warrant under sub-section (1) is addressed may enter into any building, or place mentioned in the warrant and seize any wireless telegraphy apparatus in respect of which he has reason to believe an offence under this Regulation has been committed.

11. (1) If in the trial of an offence under this ~~section~~ Regulation, the accused is convicted, the Court shall decide whether any apparatus in respect of which an offence has been

committed should be confiscated, and if it so decides, may order confiscation accordingly.

Apparatus confiscated or having no owner to be property of Government.

(2) All wireless telegraphy apparatus confiscated under sub-section (1) and all wireless telegraphy apparatus having no ostensible owner shall be the property of the Government.

12. Notwithstanding anything contained in the Code of Criminal Procedure, 1904, offences under this Regulation shall, for the purposes of the said Code, be bailable and non-cognisable.

Power of court to direct payment of fines to prescribed authority.

13. A Court inflicting a fine as punishment for any offence under this Regulation or Rules made thereunder may direct that the amount of the fine or any part of it shall be paid to the prescribed authority to be utilised for the benefit of any Broadcasting Service approved in this behalf by the Government.

Power of Government to make rules.

14. (1) The Government may, by notification in the Official Gazette, make rules for the purposes of the carrying into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*i*) determining that any article or class of article shall be or shall not be wireless telegraphy apparatus for the purposes of this Regulation;

(*ii*) the exemption of persons or classes of persons under section 4 from the provisions of this Regulation;

(*iii*) the manner of and the conditions governing the issue, renewal, suspension and cancellation of licenses, the form of licenses, and the payments to be made for the issue and renewal of licenses;

(*iv*) the maintenance of records containing details of the acquisition and disposal by sale or otherwise of wireless telegraphy apparatus possessed by dealers in wireless telegraphy apparatus;

(*v*) the conditions governing the sale of wireless telegraphy apparatus by dealers in and manufacturers of such apparatus; and

(*vi*) constituting the authority referred to in section 5.

(3) In making a rule under this section, the Government may direct that a breach of it shall be punishable with fine which may extend to one hundred rupees.

Report of the Select Committee on the Wireless Telegraphy Bill.

We, the members of the Select Committee to which the Bill for the Regulation of Wireless Telegraphy in Mysore was referred, have considered the several clauses of the Bill and have now the honour to submit this, our report:--

Clause 7. Sub-clause (2) may be omitted as we consider that it is unnecessary to provide for any presumption being raised in such cases.

Clause 8. We consider that the punishment may be confined to one of fine and we accordingly recommend that the words "with imprisonment which may extend to three years or" and "or with both" may be omitted and the words "which may extend to Rs. 500" added after the word "fine".

Clause 9. The punishment for a continuing offence may be provided for as in clause 7(1). We accordingly recommend that for the words in the end beginning with "five hundred rupees" the following words be substituted:--

> "One hundred rupees and in the case of a second or subsequent offence, with fine which may extend to rupees two hundred and fifty".

Clause 11. For the words "this section" the words "this Regulation" may be substituted.

Clause 12. As the punishment provided in the Regulation has been reduced to one of fine, this clause is unnecessary and may be omitted, the subsequent clauses being renumbered.

Clause 14. For the words "purposes of the carrying" substitute the words "purpose of carrying".

GENERAL RECOMMENDATIONS:-

1. We suggest that the rules to be issued

under the Regulation may provide for notices being issued to the parties before instituting criminal proceedings under the Regulation.

2. We also wish to express the hope that the rules will also provide for exemption being granted in respect of apparatus used for research experimental and educational purposes.

Clause 5(2). Two of the members suggested that the words "Government or" may be omitted. In their opinion, Government should act as an appellate authority in the matter of revoking licenses.

Sd/. N. Madhava Rao (Chairman)
S. G. Forbes
K. V. Ananthraman
D. V. Gundappa
K. T. Bashyam
S. G. Sastry
M. Lakshmi-narayanappa
Mahomed Imam
~~Madhava Rao~~

We, the members of the Select Committee to which the Bill for the Regulation of Wireless Telegraphy in Mysore was referred have considered the several clauses of the Bill and have now the honour to submit this our report.-

Section 5(2).

We are of opinion that the words "Government or" may be omitted as we believe that Government or any how in the possession of the authority.

Clause 7. Sub-clause (2) may be omitted as we consider that it is unnecessary to provide for any presumption being raised in such cases

Clause 8. We consider that the punishment may be confined to one of fine and we accordingly recommend that the words "with imprisonment which may extent to three years or" and "or with both" may be omitted and the words "which may extend to Rs. 500" added after the word "fine".

Clause 9. The punishment for a continuing offence may be provided for as in clause 7(1) We accordingly recommend that for the words in the end beginning with "five hundred rupees' the following words be substituted:-

"Rs. 100 and in the case of a second or subsequent offence, with fine which may extend to Rs. 250".

Clause 11. For the words "this section" the words "this Regulation" may be substituted.

Clause 12. As the punishment provided in the Regulation has been reduced to one of fine, this clause is unnecessary and may be omitted, the subsequent clauses being renumbered.

Clause 14. For the words "purposes of the

carrying" substitute the words "purpose of carrying".

General Recommendation. The rules may provide for notices being issued to the parties before taking action under the Regulation.

2. We also wish to recommend that all apparatus usee for research, experimental and educational purposes shall be exempted.

3 32/

Submitted respectfully

Sir,

Under general recommendations, the suggestion as I understood it, was that exemption from the operation of the Reg. for Research, education etc. was to be made general & automatic. But the wording in the report, suggests the grant of exemption which implies a prior application by somebody — the difficulty of which was pointed out by Mr. Forbes also. Would you not kindly revise this part of the Report? Of course I'll sign it in any case.

With respect,

I remain,
Yours Sincerely,
[illegible]

The words "may be" been granted omitted

27/1/37

Report of the Select Committee on Wireless Telegraph Bill

We, the members of the Select Committee to which the Bill for the Regulation of Wireless Telegraphy in Mysore was referred, have considered the several clauses of the Bill and have now the honour to submit this, our report:--

Clause 7. Sub-clause (2) may be omitted as we consider that it is unnecessary to provide for any presumption being raised in such cases.

Clause 8. We consider that the punishment may be confined to one of fine and we accordingly recommend that the words "with imprisonment which may extend to three years or" and "or with both" may be omitted and the words "which may extend to Rs. 500" added after the word "fine".

Clause 9. The punishment for a continuing offence may be provided for as in clause 7(1). We accordingly recommend that for the words in the end beginning with "five hundred rupees" the following words be substituted:--

> "one hundred rupees and in the case of a second or subsequent offence, with fine which may extend to rupees two hundred and fifty".

Clause 11. For the words "this section" the words "this Regulation" may be substituted.

Clause 12. As the punishment provided in the Regulation has been reduced to one of fine, this clause is unnecessary and may be omitted, the subsequent clauses being renumbered.

Clause 14. For the words "purposes of the carrying" substitute the words "purpose of carrying".

GENERAL RECOMMENDATIONS:-

1. We suggest that the rules to be issued

34

under the Regulation may provide for notices being issued to the parties before instituting criminal proceedings under the Regulation.

2. We also wish to express the hope that the rules will ~~also~~ provide for exemption ~~being granted~~ in respect of apparatus used for research experimental and educational purposes.

Clause 5(2). Two of the members suggested that the words "Government or" may be omitted. In their opinion, Government should act as an appellate authority in the matter of revoking licenses.

Sd/. N. Madhava Rao
K. V. Ananthanarayanan
S. G. Forbes
I.C.
S.G.F.
K. V. Gurulappa
K. T. Achalapur
Muthulakshminarasappa
G. Boothby 29-1-37
Jn Mahomed Imam.

35

Report of the Select Committee on Wireless Telegraph Bill.

We, the members of the Select Committee to which the Bill for the Regulation of Wireless Telegraphy in Mysore was referred, have considered the several clauses of the Bill and have now the honour to submit this, our report:-

CLAUSE 7. Sub-clause (2) may be omitted as we consider that it is unnecessary to provide for any presumption being raised in such cases.

CLAUSE 8. We consider that the punishment may be confined to one of fine and we accordingly recommend that the words "with imprisonment which may extend to three years or" and "or with both" may be omitted and the words "which may extend to Rs.500" added after the word "fine".

CLAUSE 9. The punishment for a continuing offence may be provided for as in clause 7(1). We accordingly recommend that for the words in the end beginning with "five hundred rupees" the following words be substituted:-

"One hundred rupees and in the case of a second or subsequent offence, with fine which may extend to rupees two hundred and fifty".

CLAUSE 11. For the words "this section" the words "this Regulation" may be substituted.

CLAUSE 12. As the punishment provided in the Regulation has been reduced to one of fine, this clause is unnecessary and may be omitted, the subsequent clauses being renumbered.

CLAUSE 14. For the words "purposes of the carrying" substitute the words "purpose of carrying"

GENERAL RECOMMENDATIONS.

We suggest that the rules to be issued under the Regulation may provide for notices being issued to the parties before instituting criminal proceedings under the Regulation.

2. We also wish to express the hope that the rules will provide for exemption in respect of apparatus used for research, experimental and educational purposes.

CLAUSE 5(2) Two of the members suggested that the words "Government or" may be omitted. In their opinion, Government should act as an appellate authority in the matter of revoking licenses.

Sd. N. Madhava Rao.
" K. V. Anantharaman.
" S. G. Forbes.
" D. V. Gundappa.
" K. T. Bashyam.
" Mirle Lakhminaranappa.
" S. G. Sastri.
" J. Mahamud Imam.

G. R. S. VI.—s-III/14]

DRAFT.

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,

( )

, *the*.....*191*

Date of issue.....

Signed by.....

Section. Legis
File No. 35-36
Serial No. 1

Proceedings of the Government of H. H. the Maharaja of Mysore.

Order No. P4969/Eccl.

Ordered that the accompanying Regulation for the Regulation of Wireless Telegraphy in Mysore which received the assent of His Highness the Maharaja, on the fourth day of February 1937, be published as Regulation No. IV of 1937, in the *Mysore Gazette* for general information.

Secretary to Government.

May this be—

(i) Printed?

(ii) Treated as a standing order?

(iii) Published in the "Gazette" English part?

(iv) Translated?

(v) Placed at the disposal of the Press?

(vi) Published in the "Gazette" Kannada part?

To

The Compiler, *Mysore Gazette*, for publication in Part ~~III~~ IV of the Gazette, in English and Kannada and for supply of .....spare copies in English, and .....~~spare copies in~~ Kannada as per standing orders ~~to this office, and .....spare copies in English and.....spare copies in Kannada to the Curator, Government Central Book Depot, Bangalore~~. Proofs should be sent to this office for approval before publication.

Copy to Translation Section

REGULATION No. IV OF 1937.

(Received the assent of His Highness the Maharaja on the fourth day of February 1937.)

A Regulation for the regulation of Wireless Telegraphy in Mysore.

Price: 0-0-9

NOTIFICATION.

Order No. P. 4969—Legis. 35-36-1, dated Bangalore, the 13th February 1937.

Ordered that the accompanying Regulation for the regulation of Wireless Telegraphy in Mysore which received the assent of His Highness the Maharaja, on the fourth day of February 1937, be published as Regulation No. IV of 1937, in the *Mysore Gazette* for general information.

M. VENKATESA IYENGAR,
Secretary to Government,
General Department.

REGULATION No. IV OF 1937.

(Received the assent of His Highness the Maharaja on the Fourth day of February 1937.)

A Regulation for the regulation of Wireless Telegraphy in Mysore.

Whereas it is expedient to regulate the establishment, maintenance, working and possession of wireless telegraphy apparatus in Mysore; it is hereby enacted as follows:—

Short title, extent and commencement.

1. (1) This Regulation may be called the Mysore Wireless Telegraphy Regulation, 1937.

(2) It extends to the whole of Mysore.

(2) It shall come into force on such date as the Government may by notification in the Official Gazette, appoint.

Definitions.

2. In this Regulation unless there is anything repugnant in the subject or context:—

(1) "Wireless communication" means the making, transmitting or receiving of telegraphic, telephonic or other communications by means of electricity or magnetism without the use of wires or other continuous electrical conductors between the transmitting and the receiving apparatus;

(2) "Wireless telegraphy apparatus" means any apparatus, appliance, instrument or material used or capable of use in wireless communication, and includes

any article determined by rule made under section 13 to be wireless telegraphy apparatus, but does not include any such apparatus, appliance, instrument or material commonly used for other electrical purposes, unless it has been specially designed or adapted for wireless communication or forms part of some apparatus, appliance, instrument or material specially so designed or adapted, nor any article determined by rule made under section 13 not to be wireless telegraphy apparatus; and

(3) "Prescribed" means prescribed by rules made under section 13.

Prohibition of possession of wireless telegraphy apparatus without license.

3. Save as provided by section 4, no person shall establish, maintain, work or possess wireless telegraphy apparatus except under and in accordance with a license issued under this Regulation.

Power of Government to exempt persons from provisions of the Regulation.

4. The Government may by rules made under this Regulation exempt any person or any class of persons from the provisions of this Regulation either generally or subject to prescribed conditions, or in respect of specified wireless telegraphy apparatus.

Licenses

5. (1) The Government may, by notification in the official Gazette, constitute the authority who shall be competent to issue licenses to establish, maintain, work or possess wireless telegraphy apparatus under this Regulation. Such authority may issue licenses in such manner, subject to such restrictions and conditions and subject to such payments, as may be prescribed.

Revocation of Licenses.

(2) The Government or the authority constituted under sub-section (1) may, at any time, revoke any license granted thereunder on the breach of any of the conditions therein contained, or in default of payment of any consideration payable thereunder.

Power for Government to take possession on occurrence of public emergency.

6. (1) On the occurrence of any public emergency or in the interest of the public safety, the Government or any officer specially authorized in this behalf by the Government, may

(*a*) take temporary possession of any wireless telegraphy apparatus established, maintained worked or possessed by any person licensed under this Regulation; or

(*b*) order that any wireless communication or class of wireless communications to or from any person or class of persons or relating to any subject shall not be transmitted by any wire-

less telegraphy apparatus or shall be intercepted or detained, or disclosed to the Government or an officer thereof mentioned in the order.

(2) If any doubt arises as to the existence of a public emergency or whether any act done under sub-section (1) was in the interest of the public safety, a certificate signed by a Secretary to the Government shall be conclusive proof on this point.

Penalty for illegal possession.

7. Whoever possesses any wireless telegraphy apparatus in contravention of the provisions of section 3 shall be punished, in the case of the first offence, with fine which may extend to one hundred rupees, and in the case of a second or subsequent offence with fine which may extend to two hundred and fifty rupees.

Penalty for illegal establishment.

8. Whoever establishes, maintains or works wireless telegraphy apparatus in contravention of the provisions of section 3 shall be punished with fine which may extend to five hundred rupees.

Penalty for breach of condition.

9. If the holder of a license granted under section 3 contravenes any condition contained in his license, he shall be punished with fine which may extend to one thousand rupees and in the case of a second or subsequent offence with fine which may extend to two hundred and fifty rupees.

Power of search.

10. (1) The District Magistrate, or a Magistrate of the First Class or a Magistrate of the Second Class specially empowered by the Government in this behalf, may issue a warrant for the search, at any time between sunrise and sunset, of any building or place in which he has reason to believe that any wireless telegraphy apparatus in respect of which an offence punishable under this Regulation has been committed, is kept or concealed.

(2) The officer to whom a search warrant under sub-section (1) is addressed may enter any building, or place mentioned in the warrant and seize any wireless telegraphy apparatus in respect of which he has reason to believe an offence under this Regulation has been committed.

Confiscation of apparatus.

11. (1) If, in the trial of an offence under this Regulation, the accused is convicted, the Court shall decide whether any apparatus in respect of which an offence has been committed should be confiscated, and, if it so decides, may order confiscation accordingly.

Apparatus confiscated or having no owner to be property of Government.

(2) All wireless telegraphy apparatus confiscated under sub-section (1) and all wireless telegraphy apparatus having no ostensible owner shall be the property of the Government.

Power of court to direct payment of fines to prescribed authority.

12. A Court inflicting a fine as punishment for any offence under this Regulation or rules made thereunder may direct that the amount of the fine or any part of it shall be paid to the prescribed authority to be utilised for the benefit of any Broadcasting Service approved in this behalf by the Government.

Power of Government to make rules.

13. (1) The Government may, by notification in the official Gazette, make rules for the purpose of carrying into effect the provisions of this Regulation.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for—

(*i*) determining that any article or class of articles shall be or shall not be wireless telegraphy apparatus for the purposes of this Regulation;

(ii) the exemption of persons or classes of persons under section 4 from the provisions of this Regulation;

(*iii*) the manner of and the conditions governing the issue, renewal, suspension and cancellation of licenses, the form of licenses, and the payments to be made for the issue and renewal of licenses;

(*iv*) the maintenance of records containing details of the acquisition and disposal by sale or otherwise of wireless telegraphy apparatus possessed by dealers in wireless telegraphy apparatus;

(*v*) the conditions governing the sale of wireless telegraphy apparatus by dealers in and manufacturers of such apparatus; and

(*vi*) constituting the authority referred to in section 5.

(3) In making a rule under this section, the Government may direct that a breach of it shall be punishable with fine which may extend to one hundred rupees.

MIRZA M. ISMAIL,
Dewan.

rinted by the Superintendent at the Government Press, Bangalore